

# Exhibit H



2200 Sixth Avenue, Suite 425, Seattle, WA 98121 • 206.389.9321 • Toll Free: 855.329.0919

2208 North 30<sup>th</sup> Street, Suite 202, Tacoma, WA 98403 • 253.627.6401 • Toll Free: 800.649.2034

## ONE - WEEK TRANSCRIPT TURNAROUND

Digital Transcripts • Internet Realtime • HD Legal Video • Picture-in-Picture Depositions  
Remote Depositions • Designation Editing • Nationwide Scheduling • HD Videoconferencing

In the Matter of:

State of WA, et al.

vs

Trump, et al.

---

**LIZA BUNDESEN**

*April 04, 2025*

---

Thank you for choosing BA Litigation Services for your court reporting, legal video, and deposition technology needs. It is always our goal to provide you with exceptional service. If there is anything we can do to assist you, please don't hesitate to let us know.

**Sarah Fitzgibbon, CCR**  
Vice President



The Premier Advantage™  
PDF transcript bundle contains:

- Full-size and condensed transcripts
- Printable word index
- Hyperlinked selectable word index
- Embedded printable exhibit scans
- Hyperlinked selectable exhibit viewing
- Common file formats: txt, lef, mdb  
accessed via *paperclip* icon

State of WA, et al. vs Trump, et al.  
Bundesen, Liza - April 04, 2025

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

-----)  
STATE OF WASHINGTON, et al., ) NO.2:25-cv-00244-LK  
Plaintiffs, )  
v. )  
DONALD J. TRUMP, in his )  
official capacity as President )  
of the United States, et al., )  
Defendants. )  
-----)

Washington, D.C.

Friday, April 4, 2025

Deposition of LIZA Q. BUNDESEN, a witness  
herein, was called for examination by counsel for  
Plaintiffs in the above-entitled matter, pursuant to  
notice, the witness being first duly sworn by  
BESS A. AVERY, a Notary Public in and for the  
District of Columbia, taken at the offices of B&A  
Litigation Services, 1029 Vermont Avenue, N.W.,  
Washington, D.C., commencing at 9:06 a.m., when were  
present on behalf of the respective parties:

A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF STATE OF WASHINGTON:

WILLIAM MCGINTY, ESQ.

LAURYN K. FRAAS, ESQ.

Assistant Attorneys General

Attorney General of Washington

800 Fifth Avenue, Suite 2000

Seattle, Washington 98104-3188

(360) 709-6027

william.mcginty@atg.wa.gov

laurn.k.fraas@atg.wa.gov

ON BEHALF OF THE DEFENDANTS:

VINITA B. ANDRAPALLIYAL, ESQ., SR. COUNSEL

CHRISTIAN S. DANIEL, ESQ., TRIAL ATTORNEY

ROBERT C. BOMBARD, ESQ., TRIAL ATTORNEY

UNITED STATES DEPARTMENT OF JUSTICE

Civil Division, Federal Programs Branch

1100 L Street, NW

Washington, DC 20530

(202) 305-0845

Vinita.B.Andrapalliyal@usdoj.gov

Christian.S.Daniels@usdoj.gov

Robert.Bombard2@usdoj.gov

ALSO PRESENT: Miranda Berge, Esq. - HHS

Anna Jacobs, Esq. - HHS

## I N D E X

Witness:	Page
----------	------

LIZA Q. BUNDESEN

Examination by Mr. McGinty. . . . .5

Examination by Ms. Andrapalliyal. . . 104

Further Examination by Mr. McGinty. . .110

- - -

## E X H I B I T S

(Exhibits attached to transcript)

Bundesen Deposition Exhibits	Page
------------------------------	------

Exhibit 23 Subpoena Duces Tecum . . . . . 12

Exhibit 24 Bundesen CV . . . . . 15

Exhibit 4 Termination letter, dated 2/28/25 . . 33

Exhibit 3 Presidential Documents from the . . . 65

Federal Register Vol. 90, 1/20/2025,

Executive Order

Exhibit 5 Exhibit 5, article from journal . . . 68

Nature

Exhibit 8 Memo from NIH to Institute and . . . 77

Center Chief Grants Management Officers,

2/12/2025

E X H I B I T S

(Exhibits attached to transcript)

Bundesen Deposition Exhibits	Page
Exhibit 7 Memo from NIH to Institute and . . . .	79
Centers Chief Grants Management	
Officers, 2/13/2025	
Exhibit 20 NIH Grants Policy Statement . . . . .	81
Exhibit 25 Application for Federal Assistance . .	92

## P R O C E E D I N G S

- - - - -

Thereupon,

LIZA Q. BUNDESEN,

was called as a witness by counsel for Plaintiffs,  
and, having been duly sworn by the Notary Public,  
was examined and testified as follows:

## EXAMINATION

BY MR. MCGINTY:

Q Could you please just state your name and  
spell your last name for the record, please.

**A Liza Queyrel Bundesen. And my last name  
is spelled B-U-N-D-E-S-E-N.**

Q Great. And we just met. My name is  
Will McGinty. I represent Plaintiffs in this case.

Before we get too much further, are you  
still employed by the federal government in any  
capacity?

**A No.**

Q Okay. When did you separate from  
employment?

**A March 7, 2025.**

Q 2025. Are you represented by counsel in  
this matter?

**A No.**

1 mentioned, I have monovision contacts.

2 I have not seen this document before.

3 Q Okay. Go to the bottom. You see you're  
4 cc'd on this?

5 A Mm-hmm, yes.

6 Q You don't recognize having seen this  
7 document before?

8 A No, I've not seen this specific document  
9 before.

10 Q Have you seen letters that look like this?

11 MS. ANDRAPALLIYAL: Objection, vague.

12 THE WITNESS: I have seen a template  
13 letter that looks like this.

14 BY MR. MCGINTY:

15 Q Okay. And what was the template letter  
16 that you saw?

17 A So it resembled this document, but did not  
18 have specific language; for example, you know,  
19 addresses, salutations, grant numbers. Yeah, so it  
20 was missing specific information about the  
21 individual grants.

22 Q Looking at this letter, this Exhibit 4, do  
23 you recognize what it is?

24 A Yes, it is a termination letter.

25 Q And the date is February 28th, 2025. Is



1 that right?

2 A Yes.

3 Q That's the same day that you talked with  
4 Rachel Riley?

5 A Yes.

6 Q Was this the only termination letter that  
7 went out on February 28th?

8 A No.

9 Q How many termination letters went out on  
10 February 28th?

11 MS. ANDRAPALLIYAL: Objection, assumes  
12 facts not in evidence.

13 THE WITNESS: I don't remember.

14 BY MR. MCGINTY:

15 Q Do you know if it was more or less than  
16 ten?

17 A I think it was more than ten, less than  
18 30.

19 Q Okay. And do you know how the decision to  
20 make the grants that were terminated was made?

21 A I do not.

22 Q Okay. Do you know who made the decision?

23 A I do not.

24 Q Do you recollect the circumstances that  
25 led up to the termination of those grants on

1 February 28th?

2 A Can you please clarify.

3 Q How did you first learn that grants were  
4 going to be terminated on February 28th?

5 A I received a text message over Microsoft  
6 Teams from James McElroy. He said, Liza --  
7 something to the effect of: Liza, can you please  
8 get in touch with Rachel Riley ASAP, she's been  
9 trying to reach you.

10 I'm paraphrasing.

11 I said, James, I'm sorry, I do not know  
12 who Rachel Riley is. And then shortly thereafter,  
13 James called me over a Microsoft Teams video call,  
14 and so he was there and Rachel Riley was there. She  
15 introduced herself as being part of DOGE, who was  
16 working with HHS.

17 And she informed me that a number of  
18 grants will need to be terminated and that  
19 Matt Memoli will be sending me an e-mail, a list of  
20 grants in an e-mail shortly thereafter.

21 Q Did she explain why the grants were being  
22 terminated?

23 A No.

24 Q Did you ask?

25 A She explained that -- excuse me, let me

1 clarify.

2 She said that the current administration's  
3 OGC has a different opinion from the previous  
4 administration's OGC on grant termination and,  
5 therefore, we will need to terminate grants by the  
6 end of the day.

7 I did not ask what, you know, what grants  
8 because I just literally was a little bit confused  
9 and caught off guard. And so I waited to see what I  
10 would receive by e-mail.

11 Q And then what did you receive by e-mail?

12 A I received an e-mail from Matt Memoli that  
13 said something to the effect of: Liza, the attached  
14 list of grants need to be terminated by COB today.  
15 And there was an Excel file attached to the e-mail.

16 Q And did you look at the Excel file?

17 A Yes.

18 Q And can you describe it for me.

19 A It was a list of grants -- well, you know,  
20 I'm trying -- I don't exactly remember all of the  
21 cells in the Excel file, but it was a list of  
22 grants. I can't remember if it had the grant  
23 numbers, the titles, the institutions. It had some  
24 combination.

25 Q Did it give any reason why the grants were

1 **understand.**

2 Q So you didn't know why it was made?

3 **A Correct.**

4 Q And you weren't told?

5 **A Correct. Correct.**

6 Q Are you aware of anyone at NIH who had  
7 input into the decision about which grants to  
8 terminate?

9 **A I do not.**

10 Q And you don't know how the decision to  
11 terminate the grants was made?

12 **A I do not.**

13 Q And you don't know what the language in  
14 this letter means?

15 MS. ANDRAPALLIYAL: Objection, vague.

16 **THE WITNESS: That, yeah. Do you have --**  
17 **specifically about the letter, yeah.**

18 BY MR. MCGINTY:

19 Q Sure. Let's talk about paragraph 4.

20 **A Okay.**

21 Q Earlier I was asking you if you had  
22 opinions about the language in paragraph 4 which  
23 explains why this grant is being terminated. Is  
24 that a fair characterization of the paragraph?

25 **A Yes.**

1 Q And your testimony was many of the  
2 statements in this paragraph are vague and you don't  
3 know what they mean. Is that right?

4 A That's right.

5 Q So you don't know why this grant was  
6 terminated and you were never told, and the letter  
7 that explains it, doesn't explain it. Is that  
8 right?

9 MS. ANDRAPALLIYAL: Objection, compound.

10 THE WITNESS: I was never told, that's  
11 correct. And as I mentioned before, I thought the  
12 language is vague.

13 BY MR. MCGINTY:

14 Q Okay. Did you receive more than one form  
15 letter?

16 A I don't -- I don't think so. I don't  
17 fully remember, but I think it was just the one  
18 template letter attached to the e-mail that had the  
19 Excel file with the grants.

20 Q Were there grants that had to do with  
21 things other than gender identity that were  
22 terminated?

23 A Yes.

24 Q So, for example, DEI?

25 A Yes.

1 Q And vaccine hesitancy?

2 A I do not recall anything about vaccine  
3 hesitancy being on that list.

4 Q How about grants that would benefit  
5 institutions in China?

6 A Yes.

7 Q So do you know if the language in  
8 paragraph 4 which is about gender identity would be  
9 in all of those form letters?

10 A No. I recall that the template form  
11 letter had boilerplate language that could then be  
12 modified for the different circumstances, the  
13 different buckets of grants that were to be  
14 terminated.

15 And my recollection, again, a little hazy,  
16 was that the categories were DEI, research in China,  
17 and transgender or gender ideology. So that's what  
18 I remember.

19 Q Do you know who drafted those form  
20 letters?

21 A I do not.

22 Q Were you ever told?

23 A No.

24 Q Did you ever ask?

25 A I do not think so, no.

1 here?

2 A Okay.

3 Q And it means -- well, I'll just indicate  
4 that about the middle of the second paragraph here  
5 and it says:

6 "The term 'public policy' indicates that  
7 the requirement is based on social,  
8 economic, or other objectives or  
9 considerations that may be attached to  
10 the expenditure of Federal funds by  
11 recipients, subrecipients, and  
12 contractors, in general, or may relate to  
13 the expenditure of Federal funds for  
14 research or other specified activities."

15 A Okay.

16 Q So this Part 4, and then as amended by the  
17 notices that you were talking about earlier, would  
18 be the public policy requirements for NIH  
19 recipients, right?

20 MS. ANDRAPALLIYAL: Objection, calls for  
21 speculation.

22 THE WITNESS: I'm not -- I'm not entirely  
23 sure. It would appear so, but again, I'm not an  
24 expert in some of this content, much of this  
25 content, so. But it would appear so.

1 BY MR. MCGINTY:

2 Q In your role as deputy director and acting  
3 director, were you involved in interpreting and  
4 applying this Part 4?

5 A As I mentioned earlier, generally, yes, I  
6 would be involved along with Ms. Michelle Bulls and  
7 her colleagues in interpreting and applying the  
8 Grants Policy Statement along with, you know,  
9 Institutes that are colleagues as well.

10 Q Okay. Are you aware of anything in this  
11 Part 4 that says it's the policy of NIH not to fund  
12 or to defund research on transgender related issues?

13 A I am not aware.

14 Q If such a policy existed in here, would  
15 you expect to be aware of it?

16 A Yes.

17 Q Okay.

18 MR. MCGINTY: Mark this, please.

19 (Bundesen Deposition Exhibit 25 was marked  
20 for identification.)

21 (Document tendered to counsel)

22 MS. ANDRAPALLIYAL: Thank you.

23 BY MR. MCGINTY:

24 Q I'm handing you what's been marked as  
25 Exhibit 25.



1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2 I, Bess A. Avery, Registered Merit  
3 Reporter, the officer before whom the foregoing  
4 deposition was taken, do hereby certify that the  
5 foregoing transcript is a true and correct record of  
6 the testimony given; that said testimony was taken  
7 by me stenographically and thereafter reduced to  
8 typewriting under my supervision; and that I am  
9 neither counsel for, related to, nor employed by any  
10 of the parties to this case and have no interest,  
11 financial or otherwise, in its outcome.

12 IN WITNESS WHEREOF, I have hereunto set my  
13 hand and affixed my notarial seal this 14th day of  
14 April 2025.

15  
16 My commission expires:  
17 November 14, 2028

18  
19 \_\_\_\_\_  
20 BESS A. AVERY  
21 NOTARY PUBLIC IN AND FOR THE  
22 DISTRICT OF COLUMBIA  
23  
24  
25